

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

KONRAD GARCIA,)	
)	2: 15-cv-00419-PK
Plaintiff,)	
)	
v.)	
)	ORDER TO PROCEED
RAMONA PERRAULT, et al.,)	IN FORMA PAUPERIS
)	AND TO COLLECT INMATE
Defendants.)	FILING FEE

PAPAK, Magistrate Judge.

Plaintiff, an inmate at the Snake River Correctional Institution, moves to proceed *in forma pauperis* [1]. An examination of the application reveals that plaintiff is unable to afford the fees of this action. Accordingly, IT IS ORDERED that the provisional *in forma pauperis* status given the plaintiff is confirmed.

Pursuant to 28 U.S.C. § 1915(b)(1), a prisoner proceeding *in forma pauperis* is required to pay the full filing fee of \$350.00

1 - ORDER TO PROCEED IN FORMA PAUPERIS AND TO COLLECT INMATE
FILING FEE

when funds exist. Plaintiff has authorized the agency having custody of him to collect the filing fee from his prison trust account when funds exist. However, plaintiff has been without funds for the six months immediately preceding the filing of his complaint. Accordingly, the Court shall not assess an initial partial filing fee. 28 U.S.C. § 1915(b)(2). When funds exist, plaintiff shall be obligated to make monthly payments of 20 percent of the preceding month's income credited to plaintiff's trust account. These payments shall be collected and forwarded by the agency having custody of plaintiff to the Clerk of the Court each time the amount in plaintiff's trust account exceeds \$10.00, until the filing fee is paid in full. *Id.*

CONCLUSION

Plaintiff's provisional *in forma pauperis* status is CONFIRMED.

IT IS ORDERED that the Oregon Department of Corrections shall collect payments from plaintiff's prison trust account and shall forward those payments to the Clerk of the Court in accordance with the formula set forth above until a total of \$350.00 has been collected and forwarded to the Clerk of the Court. The payments shall be clearly identified by the name and number assigned to this action.

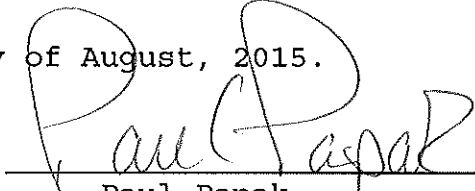
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The Clerk of the Court is directed to send a copy of this order to

Oregon Department of Corrections
Central Trust Unit
P.O. Box 14400
Salem, Oregon 97309

IT IS SO ORDERED.

DATED this 27th day of August, 2015.



Paul Papak
United States Magistrate Judge

3 - ORDER TO PROCEED IN FORMA PAUPERIS AND TO COLLECT INMATE
FILING FEE